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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,929	12/03/2003	Charles R. Bleich	247079-000214USP1	4684

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EXAMINER	
OMOTOSHO, EMMANUEL	
ART UNIT	PAPER NUMBER
3714	
MAIL DATE	DELIVERY MODE
02/19/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/726,929	BLEICH ET AL.	
	Examiner	Art Unit	
	EMMANUEL OMOTOSHO	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 November 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *71-79 and 93-112* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *71-79 and 93-112* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 71-79, 93-109 and 111-112 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jorasch et al. US Patent No. 7,267,614 in view of Ivancic US 7,071845.

3. Claims 71, 93, 109, 111-112: Jorasch teaches A game button comprising: . at least one variable display capable of presenting a plurality of images thereon (fig 3); and a memory communicatively coupled with the at least one variable display (abstract, fig 4), the memory adapted to store information for producing the plurality of images presented on the display (fig 4, abstract), the memory being associated solely with the game button and not another game button (fig 4). Detecting a player input via a sensor (i.e. a button) located within the button enclosure (col 7:21-31).

4. Jorasch fails to teach wherein the button is physically mounted on or within a gaming machine. Jorasch invention, when taken as a whole, shows a device that includes a display information which displays information related to a wagering game. To have this device attached to a gaming machine or physically within a gaming machine is an obvious design choice well within the skill set of

one having ordinary skill in the art. Ivancic's invention (see figs 4-5) shows that one of ordinary skill in the art is more than capable of placing a device and its processor in a place that is generally subjected to physical "pounding" by the users.

5. Claims 72, 94, 103: wherein the stored information is utilized by the at least one variable display of the game button, and the memory does not allow the stored information to be accessed by another game button (col 6:65-col 7:10).

6. Claims 73, 95: wherein the at least one variable display is a liquid crystal display (col 6:47-53).

7. Claims 74, 96, 104: wherein the memory is included in a microcontroller also including a microprocessor, the microcontroller being communicatively coupled to the at least one variable display, the microcontroller being associated solely with the game button, the microcontroller controlling the presentation of the plurality of images on the at least one variable display (fig 4).

8. Claims 75, 97: wherein the microcontroller controls the presentation of the plurality of images on the at least one variable display associated with the game button and does not control the presentation of images on any display not associated with the game button (fig 4, col 6:65-col 7:10).

9. Claims 76, 98, 105: wherein the microcontroller is communicatively coupled to at least one controller selected from a group consisting of a gaming machine controller, a server controller, and a peer gaming machine controller (fig 5).

10. Claims 77, 99, 106: wherein the microcontroller communicates with the controller via a universal serial bus interface (col 8:5-14).

11. Claims 78, 100, 107: wherein the microcontroller is communicatively coupled to a server controller, the microcontroller presenting at least one image on the at least one variable display in response to receiving a transmitted signal from the server controller (col 8:38-54).

12. Claims 79, 101, 108: wherein the plurality of images form a complex animation pattern (fig 3).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. Claim 110 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jorasch.

14. Claim 110: Jorasch teaches all the present invention as shown above but fail to specifically teach a legend plate for displaying button game theme artwork to the player wherein the legend plate being mechanically coupled to the chassis. However, to have a legend plate for displaying button game theme artwork to the player wherein the legend plate is mechanically coupled to the chassis is truly up to the designer. This is a matter of design choice well within the skill set of one having ordinary skill in the art.

Response to Arguments

15. Applicant's arguments filed 11/24/08 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMMANUEL OMOTOSHO whose telephone number is (571)272-3106. The examiner can normally be reached on m-f 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EO

/Ronald Laneau/

Primary Examiner, Art Unit 3714